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C O N F I D E N T I A L SECTION 01 OF 02 LUANDA 000249

SIPDIS

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TAGS: [PHUM](#) [PGOV](#) [AO](#)

SUBJECT: CABINDA: SECURITY INCIDENT PROVOKES STERN REACTIONS

REF: 2007 LUANDA 1281

Classified By: Charge d'affaires Jeff Hawkins, reasons 1.4 (b) and (d)

¶1. (C) Summary: On March 31, the Front for the Liberation of the Enclave of Cabinda-Armed Forces of Cabinda (FLEC-FAC) claimed responsibility for an attack on three Chinese-operated trucks in Cabinda province in which one Chinese national died. Despite a 2006 cease-fire with the rest of FLEC and government assurances that an insurgency is no longer operative, the attack and strong FLEC-FAC claims of responsibility suggest security concerns in the sensitive, oil-rich province persist. In light of a heavy handed GRA response to this and other incidents, opposition and civil society are quietly questioning the ability of the Cabindan authorities to maintain security in a manner consistent with their human rights obligations. End Summary.

Security incidents continue, FLEC-FAC rhetoric escalates

¶2. (C) On March 31, FLEC-FAC claimed responsibility for attacks on three Chinese-operated trucks in the area near Cacongo on the border road to the Massabi crossing with Congo-Brazzaville, an area with a considerable security presence. In a public statement, the FLEC-FAC claimed that "the aim was to cut the heads of the Chinese."

¶3. (C) Both the GRA and an oil company operating in the region discounted FLEC-FAC's claim, seeing little threat for their operations. RSO received word from an Overseas Security Advisory Council member company operating in Cabinda that the local government had confirmed the ambush, but insisted "bandits" were responsible rather than the politically-motivated FLEC-FAC. The security contact told us that the claim of banditry was "broadly credible" and that, even if the FLEC-FAC were responsible for the attack, the organization's "capability to conduct further such attacks will be limited, both because of the success of counter-insurgency operations since 2002 and the inevitable increase in the Angolan army presence in the Massabi area following this incident." They advised caution, but did not judge the threat to be a danger to continuing business operations, saying that "the reiteration of FLEC-FAC's threats against foreign companies underscores the importance of obtaining community support for foreign investment."

¶4. (C) Most elements of the Front for the Liberation of the Enclave of Cabinda (FLEC) were absorbed into the Cabindan Forum for Dialogue, which signed a memorandum of understanding with the government in 2006, but a small group of militants of the FLEC-FAC did not sign on to this accord and security incidents against government and expatriate targets, though greatly diminished, have continued. The attack represents continuing low levels of unrest in the hinterland of Cabinda, but is especially notable because it took place on an allegedly secure highway and was accompanied by unusually strong rhetoric from the FLEC-FAC. Past attacks

have also targeted expatriates, including a Brazilian oil worker in December 2007 (Ref A) and two construction workers in March 2008.

Civilian or Military Justice?

¶15. (C) The Angolan government response to the attack has been swift and apparently indiscriminate. The President of the Cabindan Bar Association, a lawyer who does pro-bono work for Cabindans who stand accused of security crimes, told PolOff that eight people from the village nearest to the site of the attack had been detained by security forces on suspicion of involvement in the attack on the Chinese-operated trucks. He said that neighbors and family members of those detained provided him with names and alibis for five of the detainees.

A local journalist later confirmed this account, saying that the nearest village had been "depopulated" and around eight had been arrested on suspicions of involvement in the attack.

The journalist asserted that five days after the initial attack, on April 1, a military patrol in the area was attacked (amidst a great increase in security, including joint civilian-military patrols) and that foreigners are no longer circulating in the area.

¶16. (C) In an April 7 conversation with the UNITA parliamentarian from Cabinda, Raul Danda, about the future of the accused in the Chinese trucks ambush, Danda said that mass arrests are a common strategy on the part of the government to "root out" support for FLEC-FAC. Like the other interlocutors, Danda insisted that the incident was

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political in nature and was not "banditry" as the government claimed. Danda said he believed that in most cases the accused are innocent and drew a parallel to the case of Fernando Lelo documented in the 2008 Human Rights Report. (Note: Lelo was a former Voice of America journalist who was convicted of state security crimes in a military court in Cabinda, despite exculpatory evidence from his employer indicating that he was working off shore at the time of the alleged incident. End note.) Danda and the President of the Cabindan Bar Association independently confirmed that Lelo is in good health and has access to visitors.

¶17. (C) On March 24, a trial began in Cabinda's civilian courts against Joao Mateus Luembra, Natalicio Mbatchi, Antonio Zau, Elias Meno, and Garcia David Antonio, who stand accused of armed rebellion and homicide for an attack on a police post that took place in December 2007. The defendants' lawyer and a recent international visitor to the prison where the men are being held separately told PolOff that the men reported being subjected to electric shock on the tongue and genitals during their pre-trial detention. Danda said that Luembra, a local chieftain, had no clear idea of why he was being held. (Comment: The court filing against the five men is vague and details no compelling state evidence. However, the venue does signal a change, since past trials have been held in military courts. End comment.)

¶18. (C) Comment: It remains unclear whether the attack on the Chinese convoy represents political violence related to a still smoldering insurgency, as is claimed by the FLEC-FAC, or simple banditry, as the GRA and our oil company contacts suggest. It is certain, however, that the GRA takes security threats in the sensitive Cabinda province seriously. Our civil society contacts maintain that the GRA is so concerned about keeping a lid on any political violence that it is willing to ignore basic human rights in the province. End Comment.

HAWKINS